

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARKPULSE, INC.,

Plaintiff,

v.

Civil Action No. 21-cv- 22111

FIRSTFIRE GLOBAL
OPPORTUNITIES FUND, LLC, and
ELI FIREMAN,

Defendants.

**PLAINTIFF DARKPULSE, INC.’S *EX PARTE* EMERGENCY APPLICATION FOR
ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER**

Pursuant to Federal Rule 65, Plaintiff DarkPulse, Inc, respectfully moves for a temporary restraining order (“TRO”) against Defendants FirstFire Global Opportunities Fund, LLC, and Eli Fireman (“Defendants”) to prevent them from selling or attempting to sell, transfer, or otherwise dispose of 177,275,000 shares of wrongfully obtained DarkPulse common stock prior to a decision on Plaintiff’s motion for a preliminary injunction, which will be submitted by the end of today.

Specifically, Plaintiff now seeks a TRO to enjoin Defendants from selling, transferring or otherwise disposing of DarkPulse common stock, which Defendants wrongfully acquired pursuant to securities transactions that are unlawful pursuant to Section 15(a) of the Securities Exchange Act of 1934, and in violation of New York laws against criminal usury, NY GOL 5-501 et seq, NY Penal Law §190.40.

This motion is supported by the declaration of Dennis O'Leary attached hereto, and a memorandum of law to be filed by the end of the day. A TRO is required because with this suit having been commenced, Defendants may attempt to sell this stock in order to hamstring Plaintiff's attempt to recover the stock, and the remedies available to DarkPulse may not allow for the consequential damages that such action may cause.

A TRO is necessary to prevent additional irreparable harm because Darkpulse is a small company and Defendants' sale of millions of shares into the public market would eviscerate DarkPulse current trading price, hampering its ability to pursue this action and without the Court having an opportunity to make a decision on DarkPulse's forthcoming motion for a preliminary injunction.

Undersigned counsel has not attempted to reach counsel for Defendants to confer on this motion because it could trigger rampant selling by the defendants, causing immeasurable loss and damage. Accordingly, Plaintiff respectfully requests that the Court grant its motion for a TRO. A proposed order is submitted herewith.

Dated: January 14, 2022

Respectfully submitted,

/s/ Gustave P. Passanante
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